

SEP 21 2009

Division of Licensing and
Regulatory Services

September 18, 2009

Phyllis Powell, Manager, Certificate of Need Unit
Div. of Licensing and Regulatory Services
Maine Department of Health & Human Services
State House Station 11
Augusta, Maine 04333-0011

Re: Central Maine Medical Center: Request for Non-reviewability Determination

Dear Ms. Powell:

On behalf of Central Maine Medical Center ("CMMC"), this is to request a determination that the transactions described in the attachments to this letter were not subject to certificate of need review at the time that the capital expenditure was undertaken. CMMC intends to apply for MHHEFA bond financing for these capital expenditures and needs a determination letter from your office that no certificate of need was required for these transactions. We would be very grateful for your prompt response.

A. **Plant and Equipment.** Attachment A lists 35 capital expenditures for renovations to space and/or purchase of equipment. These expenditures were made between October, 2006 and June, 2009. The expenditures ranged from about \$9,000 to a high of \$956,715.00. Each of these projects was independent of the others, and thus none met the reviewability threshold for either major medical equipment or capital expenditures in 22 M.R.S.A. §329(2-A) or (3). None of these expenditures were associated with the offering or development of any new health service at CMMC.

B. **Replacement Equipment.** Attachment B lists 4 expenditures for equipment that replaced previously acquired equipment between May, 2008 and June, 2009. These acquisitions were not subject to review because they do not meet the threshold definition of major medical equipment, and moreover, they were replacements for existing equipment.

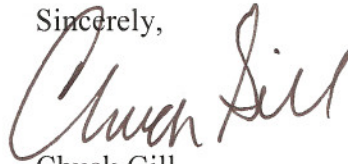
C. **Physician Office Building.** Attachment C represents 19 construction and renovation projects that were undertaken between December, 2006 and June, 2009, all of which were physician office space and therefore not subject to review under §329(3).

D. **Information and Communication Systems.** Attachment D reflects 18 projects undertaken between March, 2006 and June, 2009, each of which involved the acquisition and installation of information technology and/or communications systems. Such expenditures are exempt from review under §329(3).

Again, CMMC is anxious to proceed with bond financing while rates are advantageous, and would greatly appreciate a prompt non-reviewability determination letter.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chuck Gill". The signature is fluid and cursive, with the first name "Chuck" being more prominent than the last name "Gill".

Chuck Gill

Vice-President for Public Affairs